

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively  
Consolidated SIPA Liquidation of Bernard L. Madoff  
Investment Securities LLC and the Estate of Bernard  
L. Madoff,

Plaintiff,

v.

STANLEY SHAPIRO *et al.*,

Defendants.

Adv. Pro. No. 10-05383 (SMB)

**THIRD AMENDMENT TO CASE MANAGEMENT PLAN**

**WHEREAS**, pursuant to Federal Rules of Civil Procedure 16 and 26, as incorporated into Federal Rules of Bankruptcy Rules 7016 and 7026, Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff under Chapter 7 of the United States Bankruptcy Code, 11 U.S.C. §§ 701, *et seq.*, and Defendant Stanley Shapiro and the other defendants named in the instant proceeding (collectively, the “Shapiro Family,” and together with the Trustee, the “Parties”) stipulated to the Case Management Plan, which was entered by

this Court on March 31, 2016 (ECF No. 68), the First Amendment to the Case Management Plan, which was entered by this Court on September 30, 2016 (ECF No. 71), and the Second Amendment to the Case Management Plan, which was entered by this Court on December 27, 2016 (ECF No. 72);

**WHEREAS**, the Parties previously agreed in Section 1(a) of the Case Management Plan that all fact discovery shall be completed on or before April 28, 2017, and in the First Amendment to the Case Management Plan, that all fact discovery shall be completed on or before June 30, 2017;

**WHEREAS**, the Parties previously agreed in Section 2(a) of the Case Management Plan that all disclosures of expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made on or before June 30, 2017;

**WHEREAS**, the Parties previously agreed in Section 2(a) of the Case Management Plan that all disclosures of opposition expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure shall be made on or before September 30, 2017;

**WHEREAS**, the Parties previously agreed in Section 2(b) of the Case Management Plan that all depositions of expert witnesses must occur on or before December 30, 2017; and

**WHEREAS**, the Parties seek additional time to complete fact discovery, to make disclosures of expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure, to make disclosures of opposition expert testimony under Rule 26(a)(2) of the Federal Rules of Civil Procedure, and to depose expert witnesses.

**NOW THEREFORE**, it is hereby stipulated and agreed, by and between the undersigned counsel, that:

(i) the fact discovery cut-off under the First Amendment to the Case Management Plan shall be extended from June 30, 2017 to **March 31, 2018**;

(ii) the deadline for the Parties to make disclosures of expert testimony under Section 2(a) of the Case Management Plan shall be extended from June 30, 2017 to **May 31, 2018**;

(iii) the deadline for the Parties to make disclosures of opposition expert testimony under Section 2(a) of the Case Management Plan shall be extended from September 30, 2017 to **June 30, 2018**; and

(iv) the deadline for the Parties to depose expert witnesses under Section 2(b) of the Case Management Plan shall be extended from December 30, 2017 to **September 30, 2018**.

All other discovery and further deadlines provided for in the Case Management Plan and amendments thereto shall remain unchanged.

Dated: June 22, 2017  
New York, New York

BAKER & HOSTETLER LLP

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*Attorneys for Defendants*

Dated: June 22<sup>nd</sup>, 2017  
New York, New York

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE